

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-1259

KARIMA LOTFY MIKHAIL; MAKRAM FAWZY GERGES;
MICHAIL FAWZY,

Petitioners,

versus

ALBERTO R. GONZALES,

Respondent.

On Petition for Review of an Order of the Board of Immigration Appeals. (A97-196-270; A97-196-271; A97-196-272)

Submitted: August 29, 2005

Decided: November 1, 2005

Before NIEMEYER, KING, and DUNCAN, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Robert Frank, Newark, New Jersey, for Petitioner. Paul J. McNulty, United States Attorney, Kent P. Porter, Assistant United States Attorney, OFFICE OF THE U.S. ATTORNEY, Norfolk, Virginia, for Respondent.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Karima Lotfy Mikhail, a native and citizen of Egypt, petitions for review of an order of the Board of Immigration Appeals adopting and affirming the Immigration Judge's order denying her applications for asylum, withholding of removal, and protection under the Convention Against Torture (CAT). Mikhail contends that the Board and Immigration Judge erred in finding her ineligible for withholding of removal and relief pursuant to CAT.

"To qualify for withholding of removal, a petitioner must show that he faces a clear probability of persecution because of his race, religion, nationality, membership in a particular social group, or political opinion." Rusu v. INS, 296 F.3d 316, 324 n.13 (4th Cir. 2002) (citing INS v. Stevic, 467 U.S. 407, 430 (1984)). To qualify for protection under the Convention Against Torture, a petitioner bears the burden of demonstrating that "it is more likely than not that he or she would be tortured if removed to the proposed country of removal." 8 C.F.R. § 1208.16(c)(2) (2005). Having conducted our review, we conclude that substantial evidence supports the finding that Mikhail failed to meet these standards.

We accordingly deny the petition for review. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED